Alberta
ENVIRONMENT

ENFORCEMENT OF THE

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

And

WATER ACT

1 Apr 2009 - 30 Jun 2009

July 2010
Environmental Management Division
Alberta Environment

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Enforcement Actions

1 Apr 2009 - 30 Jun 2009

Company/Individual	Municipality / LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Administrative Penalties				
Drumheller, Town of	Drumheller 36-28-20-W4	09-Apr-09 Assessed: $8,500.00	AEPEA(R) 227(e)	The Town of Drumheller operates a Class II water treatment plant and water distribution system pursuant to an Approval. It contravened its approval by failing to comply with the limits specified in Table 5-1, being the exceedance of the turbidity limit for treated water prior to entering the treated water reservoir; the exceedance of the monthly average total suspended solids limit for wastewater discharge; and failing to immediately report by telephone a contravention of a term or condition of the Approval. Paid 29 May 2009.
Central Alberta Co-op Ltd	Innisfail Plan 4495RS, Block 4, Lot 4	29-Apr-09 Assessed: $4,500.00	AEPEA(R) 43/97 18 24/97 20(2)(a)	The Company sold a Schedule 2 pesticide (Calmix Pellets) to an ineligible purchaser; and failed to keep complete retail vendor records for the sale of each Schedule 2 pesticide, in particular if failed to keep a record of the address of the landowner who purchased the pellets, the total quantity of the pesticides sold, and the qualifications of the purchaser to purchase the pesticide. Paid 4 June 2009
Rife Resources Ltd.	Ferintosh SE-12-44-21-W4	29-Apr-09 Assessed: $3,500.00	AEPEA(R) 227(e)	The Company operates the Ferintosh sour gas plant pursuant to an Approval. It contravened its approval by failing to submit copies of the Proposal for the Groundwater Monitoring Program on or before December 31, 2007; and failing to immediately report a contravention of a term of the Approval. Paid 12 May 2009
Gateway Helicopters Ltd.	Mountain View County SW-3-31-2-W5	05-May-09 Assessed: $4,000.00	AEPEA(R) 163(1) 24/97 5(1)(a)	The Company applied pesticide, Grazon, in a manner that caused an adverse effect, being spray drift damage to trees and vegetation; and failing to apply the pesticide in compliance with its label requirements.
Building Products of Canada Corp.	Edmonton NE-36-52-24-W4	21-May-09 Assessed: $3,500.00	AEPEA(R) 227(e)	The Company operates the Edmonton Paper and Roofing Products Manufacturing Plant pursuant to an Approval. It contravened its approval by releasing effluent from the wastewater lagoon into the surrounding watershed from a source that was not specified in the Approval as an authorized source. Paid 15 June 2009

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Administrative Penalties				
Kinder Morgan Edmonton Terminals ULC	Strathcona County SW-5-53-23-W4	02-Jun-09 Assessed: $2,500.00	AEPEA(R) 227(e)	The Company conducted an activity, being the release of hydrostatic test water to an unnamed pond with levels of Free Chlorine Residual, Total Suspended Solids, and Microtox above the limits allowed under the Code of Practice. Amended Notice of Administrative Penalty issued 3 July 2009 to reflect the change in corporate name from Kinder Morgan Canada Inc. to Kinder Morgan Edmonton Terminals ULC. Paid 28 July 2009.
Northern Alberta Processing Co., a Division of West Coast Reduction Ltd.	Edmonton Plan 7721016, Block 1, Lot 5	02-Jun-09 Assessed: $2,500.00	AEPEA(R) 227(e)	The Company operates the Edmonton Rendering Plant pursuant to an Approval. It contravened its licence with the release of industrial wastewater from the Plant to the City of Edmonton storm drain system and Creeks #1 and #2, being contrary to section 4.2.4 of the Approval. Paid 19 June 2009.
Werenka, Stanley Wade	Strathcona County Plan 1033TR, Block 4, Lot 4	04-Jun-09 Assessed: $6,500.00	WA 36(1) 142(1)(h)	Mr. Stanley Wade Werenka conducted an activity, alteration and disturbance of the bed and shore of Hastings Lake on or about August 7 and September 11, 2007 without an Approval.
Newalta Corporation	Redwater Plan 8122910, Block 1, Lot 3,4,5	17-Jun-09 Assessed: $2,500.00	AEPEA(R) 227(e)	The Company operates the Redwater hazardous waste storage and hazardous recyclables storage and processing facility pursuant to an Approval. It contravened its license by failing to conduct a stack survey on the thermal oxidizer exhaust stack in 2007, being contrary to section 4.1.13 of the Approval. Paid 14 July 2009.

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Amended Enforcement Orders

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Jovnic Ltd., Mac-Sie Equipment Rentals Inc. & Sochatsky, Simon	Edmonton Plan 8920191, Block 3	13-May-09	WA 36(1)	Amendment No. 2 to WA-EO-2008/02-NR issued amending Clause 4(f) as follows: If the Parties propose to retain or modify the Works; the parties shall have all required authorization and approval for the Works no later than June 8, 2009. Order complied with, file closure 26 October 2009.
SemCAMS ULC	Woodlands County 22-59-18-W5 15-59-18-W5 14-59-18-W5 11-59-18-W5	26-May-09	AEPEA(R) 227(e)	Amendment No. 1 to EO-2009/02-CR issued substituting August 15, 2009 for July 15, 2009 in Clause 1. Order complied with, file closure 13 November 2009.

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Amended Environmental Protection Orders				
Ward Chemical Incorporated	MD of Opportunity SE-30-71-21-W4	17-Apr-09	AEPEA(R) 113	Amendment No. 1 to EPO-2009/02-NR issued deleting April 17, 2009 in clause 1 and 5 and replacing it with April 22, 2009; deleting July 31, 2009 in clause 6 (e) and replacing it with June 30, 2009; and adding new sub-clause 6 (f) as follows: The Delineation Plan will have a completion date of the end of the 2009 field season culminating on October 15, 2009.

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Enforcement Orders				
SEMCAMS ULC.	Woodlands County 22-59-18-W5 15-59-18-W5 14-59-18-W5 11-59-18-W5	15-May-09	AEPEA(R) 227(e)	The Company operates the Kaybob South Beaverhill Lake Gas Unit No. 3 Sour Gas Processing Plant pursuant to an Approval. It contravened its licence by failing to comply with the Air Monitoring Directive. An audit conducted by Alberta Environment confirmed the H2S ambient air analyzer located at ambient air monitoring trailer #2 has not been performing properly and not meeting the +- 3ppb zero span tolerance levels. The Company shall conduct a third party review of the Company's Quality Assurance Practices and Procedures, a testing of all of the analyzers and the support equipment in trailer #2, and a review of the calibration data, monitoring data, and all associated data. Order complied with, file closure 13 November 2009.
Rocky Mountain Properties Inc.	MD of Rocky View SW-11-26-29-W4	09-Jun-09	WA 36(1)	Rocky Mountain Property Inc. ["RMPI"] is the previous registered owner of the lands and currently owns a portion of the Lands which have been subsequently subdivided since the events which gave rise to this Order. RMPI has developed an industrial park known as "Wagon Wheel Industrial Park", that is partially located on the lands and on an adjacent parcel of land. Air photos revealed two readily identifiable wetland areas had been removed for the construction of the industrial park. No Approval was issued by Alberta Environment for the removal of the Wetlands. Remedial and mitigative work is required by the Company to restore and reclaim the Wetlands to their original pre-disturbance condition [Option "A"]; or provide alternate wetland compensation for the loss of the Wetlands from the aquatic ecosystem in accordance with the Provincial Wetlands Restoration/Compensation Program [Option "B"]. The Company shall advise in writing of the Option selected. If Option A, RMPI shall submit a restoration plan; a description of the restoration work; include a proposed schedule of implementation; retain a qualified aquatic specialist to prepare the Plan and supervise the work undertaken pursuant to the Plan; and implement the work in the Plan. If Option B, RMPI shall enter into agreement with Alberta Environment to participate in the "Provincial Restoration/Compensation Guide" Program. Notice of Appeal received 16 June 2009 by the Environmental Appeal Board. Order complied with, file closed 25 May 2010.

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Enforcement Orders				
Chiles Development Corporation Ltd, Chiles Homes Ltd. & Chiles, Norman	Red Deer County S-3-39-27-W4	12-Jun-09	WA 49	Chiles Development Corporation Ltd is the registered owner of the lands legally described as S 03-39-27-W4M, Norman Chiles is the directing mind of both Chiles Development Corporation Ltd. and Chiles Homes Ltd. In 1992, Alberta Environment (AENV) received an application for an Exploration Permit with a stated purpose of developing a mobile home park. In March, 2002, AENV issued a Groundwater Exploration Permit (with conditions) for the authorization to explore for groundwater. Since 2001, several applications have been made to the Department for water wells at various locations on the lands. AENV explained the licensing requirements under the Water Act and the need for a groundwater evaluation study prior to any further approval. In 2002 AENV received a letter from Mr. Chiles requesting approval be issued for use of water from the wells that were already drilled and have been in use for 15-24 years. The Parties have failed to take the necessary steps or provide the prerequisite information to AENV for obtaining a diversion license under the Water Act and to date continue to divert groundwater illegally. The Parties shall submit a complete inventory of all existing wells and complete a groundwater evaluation study following Alberta Environments Groundwater Evaluation Guideline. Notice of Appeal received 18 June 2009 by the Environmental Appeal Board.

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Environmental Protection Orders

No Activity

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Field Warning				
No Activity				

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Prosecutions				
Compass Group Canada (Beaver) Ltd.		02-Apr-09 Penalty: $225,000.00	AEPEA(R) 227(e)	Count 1: On or between the 1st day of September 2005 and the 1st day of January 2007, both dates inclusive, at or near Fort McMurray, in the Province of Alberta did contravene a term or condition of an approval, to wit: Section 2.1.1 of Approval 72754-01-00 issued with respect to the Suncor Millennium Wastewater System, which provides as follows: The approval holder shall immediately report by telephone any contravention of the terms and condition of this approval to the Director at 1-780-422-4505 by failing to report violations of section 5.1.2 of the said Approval with respect to the monthly arithmetic mean of daily samples for the parameter Total Suspended Solids (TSS), the said offence first coming to the attention of the Director within the meaning of section 226(b) of the Environmental Protection and Enhancement Act on March 26, 2007 and did thereby commit an offence contrary to section 227(e) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 2 April 2009 Suncor Energy Inc. ["Suncor"] and co-accused Compass Group Canada Ltd. ["Compass"] each plead guilty and were sentenced to a global penalty of $400,000. Suncor was sentenced to a fine of $175,000 and Compass was sentenced to a fine of $225,000. $300,000 of the fine will be directed towards a creative sentence to the Alberta Water and Wastewater Operator's Association ("AWWOA") for the purpose of updating the AWWOA operator training course materials, funding a new water and wastewater operator scholarship, and subsidizing operator training courses and seminars to encourage attendance of operators from small rural public facilities. Both Suncor and Compass provided the agreed to funds of the creative sentencing order 12 May 2009. Fine paid 5 June 2009.
Suncor Energy Inc.		02-Apr-09 Penalty: $175,000.00	AEPEA(R) 227(e)	Count 1: On or between the 1st day of September 2005 and the 1st day of January, 2007, both dates inclusive, at or near Fort McMurray in the Province of Alberta, did contravene a term or condition of an approval, to wit: Section 5.1.2 of Approval 72754-01-00 issued for the Suncor Millennium Wastewater System with respect to the monthly arithmetic mean of daily samples for Total Suspended Solids (TSS), the said offence first coming to the attention of the

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Prosecutions				
				Director within the meaning of section 226(b) of the Environmental Protection and Enhancement Act on March 26, 2007 and did thereby commit an offence contrary to section 227(e) of the Environmental Protection and Enhancement Act. On 2 April 2009 Suncor Energy Inc. ["Suncor"] and co-accused Compass Group Canada Ltd. ["Compass"] each plead guilty and were sentenced to a global penalty of $400,000. Suncor was sentenced to a fine of $175,000 and Compass was sentenced to a fine of $225,000. $300,000 of the fine will be directed towards a creative sentence to the Alberta Water and Wastewater Operator's Association ("AWWOA") for the purpose of updating the AWWOA operator training course materials, funding a new water and wastewater operator scholarship, and subsidizing operator training courses and seminars to encourage attendance of operators from small rural public facilities. Both the agreed to funds of the creative sentencing order and fine were paid 12 May 2009.
Suncor Energy Inc.		02-Apr-09 Penalty: $337,500.00	AEPEA(R) 227(e)	Count 2: On or between the 1st day of December 2003, and 20th day of July 2006, both dates inclusive, at or near Fort McMurray in the Province of Alberta did contravene a term or condition of an approval: to wit Approval No. 80105-00-01, section 4.2.6 which states: The approval holder shall ensure that all produced water tanks are connected to the vapour recovery system and did commit an offence contrary to section 227(e) of the Environmental Protection and Enhancement Act, evidence of the offence having first come to the attention of the Director on July 20, 2006. The Company plead guilty 2 April 2009 and was sentenced to a fine of $142,500.00. In addition to the fine, it was sentenced to a creative sentence order of $195,000. The University of Calgary will receive $157,500.00 to develop a Regulatory Compliance Project to examine organizational failures that resulted in these offences, and produce tools for better regulatory compliance by corporations in the oil and gas industry. Keyano College will receive $37,500.00 to establish a scholarship that will support education for local young people in Environmental and Conservation Science. Both the agreed to funds of the creative sentencing order and fine were paid 12 May 2009.

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Prosecutions				
Suncor Energy Inc.		02-Apr-09 Penalty: $337,500.00	AEPEA(R) 227(b)	Count 4: On or about July 7, 2005, at or near Fort McMurray in the Province of Alberta did provide false or misleading information pursuant to a requirement under the Act to provide that information that with respect to the plant operated under Approval No. 80105-00-01, all produced water tanks are connected to the vapour recovery system and did thereby commit an offence contrary to section 227(b) of the Environmental Protection and Enhancement Act, evidence of the offence having first come to the attention of the Director on July 20, 2006. The Company plead guilty 2 April 2009 and was sentenced to a fine of $142,500.00. In addition to the fine, it was sentenced to a creative sentence order of $195,000. The University of Calgary will receive $157,500.00 to develop a Regulatory Compliance Project to examine organizational failures that resulted in these offences, and produce tools for better regulatory compliance by corporations in the oil and gas industry. Keyano College will receive $37,500.00 to establish a scholarship that will support education for local young people in Environmental and Conservation Science. Both the agreed to funds of the creative sentencing order and fine were paid 12 May 2009.
McCabe, Rodney Tyrone		22-May-09	AEPEA(R) 227(a)	Count 1: Co-accused "R&D McCabe Ltd." On or about the 28th day of February, 2006, at or near Edmonton, in the Province of Alberta did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, to wit: the monitoring results with respect to Total Suspended Solids (TSS) and Biological Oxygen Demand (BOD) contained in the 2005 Annual Wastewater Reports for the Suncor Millennium Wastewater System also known as the Millennium Lodge STP or the Millennium Lodge Wastewater Treatment Facility and the Wastewater Treatment plant known as Borealis Lodge STP or the Borealis Lodge Wastewater Treatment Facility which are required to be provided by virtue of approvals issued in respect of these facilities, contrary to section 227(a) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 Rodney McCabe was found guilty and sentenced on counts 1 through 6 to a global penalty of a 12 month conditional

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Prosecutions				
				sentence, 11 months of which will be served as house arrest. In addition McCabe has been prohibited for a period of four years from working in the water/wastewater industry.
McCabe, Rodney Tyrone		22-May-09	AEPEA(R) 227(a)	Count 2: Co-accused "R&D McCabe Ltd." On or about the 23rd day of February, 2007, at or near Edmonton, in the Province of Alberta did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, to wit: the monitoring results with respect to Total Suspended Solids (TSS) and Biological Oxygen Demand (BOD) contained in the 2006 Annual Wastewater Reports for the Suncor Millennium Wastewater System also known as the Millennium Lodge STP or the Millennium Lodge Wastewater Treatment Facility and the 2006 Annual Wastewater Report for the Wastewater Treatment plant known as Borealis Lodge STP or the Borealis Lodge Wastewater Treatment Facility which are required to be provided by virtue of approvals issued in respect of these facilities, contrary to section 227(a) of the Environmental Protection and Enhancement Act., the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 Rodney McCabe was found guilty and sentenced on counts 1 through 6 to a global penalty of a 12 month conditional sentence, 11 months of which will be served as house arrest. In addition McCabe has been prohibited for a period of four years from working in the water/wastewater industry.
McCabe, Rodney Tyrone		22-May-09	AEPEA(R) 227(d)	Count 3: Co-accused "R&D McCabe Ltd." On or between the 1st day of September 2005 and the 1st day of March 2007, both dates inclusive, at or near Fort McMurray in the Province of Alberta did knowingly contravene a term or condition of an approval, to wit, section 2.1.1. of Approval 72754-01-00 issued in respect of the Suncor Millennium Wastewater System by failing to report violations of the monthly arithmetic means of daily samples for the parameters Total Suspended Solids (TSS) and Biological Oxygen Demand (BOD) contrary to section 227(d) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of

Prosecutions

Company/Individual	Municipality / LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
				the Criminal Code. On 22 May 2009 Rodney McCabe was found guilty and sentenced on counts 1 through 6 to a global penalty of a 12 month conditional sentence, 11 months of which will be served as house arrest. In addition McCabe has been prohibited for a period of four years from working in the water/wastewater industry.
McCabe, Rodney Tyrone		22-May-09	AEPEA(R) 227(d)	Count 4: Co-accused "R&D McCabe Ltd." On or between the 1st day of November, 2005 and the 1st day of March 2007, both dates inclusive, at or near Fort McMurray in the Province of Alberta did knowingly contravene a term or condition of an approval, to wit, section 2.1.1. of Approval 72754-00-00 issued in respect of the Borealis Lodge Wastewater Treatment Facility by failing to report violations of the monthly arithmetic means of daily samples for the parameters Total Suspended Solids (TSS) contrary to section 227(d) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 Rodney McCabe was found guilty and sentenced on counts 1 through 6 to a global penalty of a 12 month conditional sentence, 11 months of which will be served as house arrest. In addition McCabe has been prohibited for a period of four years from working in the water/wastewater industry.
McCabe, Rodney Tyrone		22-May-09	AEPEA(R) 227(e)	Count 5: Co-accused "R&D McCabe Ltd." On or between the 1st day of September 2005 and the 1st day of October 2007, at or near Fort McMurray in the Province of Alberta did contravene a term or condition of an approval, to wit: section 5.1.2. of Approval 72754-01-00 issued in respect of the Suncor Millennium Wastewater System, with respect to the monthly arithmetic mean of daily samples for Total Suspended Solids (TSS,) contrary to section 227(e) of the Environmental Protection and Enhancement Act the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 Rodney McCabe was found guilty and sentenced on counts 1 through 6 to a global penalty of a 12 month conditional sentence, 11 months of which will be served as house arrest. In addition McCabe has been prohibited for a period of four years from working in the water/wastewater industry.

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McCabe, Rodney Tyrone		22-May-09	AEPEA(R) 227(e)	Count 6: Co-accused "R&D McCabe Ltd." On or between the 1st day of November 2005 and the 1st day of June 2007, at or near Fort McMurray in the Province of Alberta did contravene a term or condition of an approval, to wit: section 5.1.2. of Approval 72755-0-00 issued in respect of the Borealis Lodge Wastewater Facility, with respect to the monthly arithmetic mean of daily samples for Total Suspended Solids (TSS,) contrary to section 227(e) of the Environmental Protection and Enhancement Act the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 Rodney McCabe was found guilty and sentenced on counts 1 through 6 to a global penalty of a 12 month conditional sentence, 11 months of which will be served as house arrest. In addition McCabe has been prohibited for a period of four years from working in the water/wastewater industry.
R&D McCabe Ltd.		22-May-09 Penalty: $1,000.00	AEPEA(R) 227(a)	Count 1: Co-accused "McCabe, Rodney Tyrone" On or about the 28th day of February, 2006, at or near Edmonton, in the Province of Alberta did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, to wit: the monitoring results with respect to Total Suspended Solids (TSS) and Biological Oxygen Demand (BOD) contained in the 2005 Annual Wastewater Reports for the Suncor Millennium Wastewater System also known as the Millennium Lodge STP or the Millennium Lodge Wastewater Treatment Facility and the Wastewater Treatment plant known as Borealis Lodge STP or the Borealis Lodge Wastewater Treatment Facility which are required to be provided by virtue of approvals issued in respect of these facilities, contrary to section 227(a) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 R&D McCabe Ltd. was found guilty and sentenced on counts 1 through 6 to a global penalty of $6000.00, distributed as $1000.00 per count. In addition the Company has been prohibited from working in the water/wastewater industry for three years. Fine paid 28 September 2009.

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R&D McCabe Ltd.		22-May-09 Penalty: $1,000.00	AEPEA(R) 227(a)	Count 2: Co-accused "McCabe, Rodney Tyrone" On or about the 23rd day of February, 2007, at or near Edmonton, in the Province of Alberta did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, to wit: the monitoring results with respect to Total Suspended Solids (TSS) and Biological Oxygen Demand (BOD) contained in the 2006 Annual Wastewater Reports for the Suncor Millennium Wastewater System also known as the Millennium Lodge STP or the Millennium Lodge Wastewater Treatment Facility and the 2006 Annual Wastewater Report for the Wastewater Treatment plant known as Borealis Lodge STP or the Borealis Lodge Wastewater Treatment Facility which are required to be provided by virtue of approvals issued in respect of these facilities, contrary to section 227(a) of the Environmental Protection and Enhancement Act., the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 R&D McCabe Ltd. was found guilty and sentenced on counts 1 through 6 to a global penalty of $6000.00, distributed as $1000.00 per count. In addition the Company has been prohibited from working in the water/wastewater industry for three years. Fine paid 28 September 2009.
R&D McCabe Ltd.		22-May-09 Penalty: $1,000.00	AEPEA(R) 227(d)	Count 3: Co-accused "McCabe, Rodney Tyrone" On or between the 1st day of September 2005 and the 1st day of March 2007, both dates inclusive, at or near Fort McMurray in the Province of Alberta did knowingly contravene a term or condition of an approval, to wit, section 2.1.1. of Approval 72754-01-00 issued in respect of the Suncor Millennium Wastewater System by failing to report violations of the monthly arithmetic means of daily samples for the parameters Total Suspended Solids (TSS) and Biological Oxygen Demand (BOD) contrary to section 227(d) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 R&D McCabe Ltd. was found guilty and sentenced on counts 1 through 6 to a global penalty of $6000.00, distributed as $1000.00 per count. In addition the Company has been prohibited from working in the water/wastewater industry for three years. Fine paid 28 September 2009.

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R&D McCabe Ltd.		22-May-09 Penalty: $1,000.00	AEPEA(R) 227(d)	Count 4: Co-accused "McCabe, Rodney Tyrone" On or between the 1st day of November, 2005 and the 1st day of March 2007, both dates inclusive, at or near Fort McMurray in the Province of Alberta did knowingly contravene a term or condition of an approval, to wit, section 2.1.1. of Approval 72754-00-00 issued in respect of the Borealis Lodge Wastewater Treatment Facility by failing to report violations of the monthly arithmetic means of daily samples for the parameters Total Suspended Solids (TSS) contrary to section 227(d) of the Environmental Protection and Enhancement Act, the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 R&D McCabe Ltd. was found guilty and sentenced on counts 1 through 6 to a global penalty of $6000.00, distributed as $1000.00 per count. In addition the Company has been prohibited from working in the water/wastewater industry for three years. Fine paid 28 September 2009.
R&D McCabe Ltd.		22-May-09 Penalty: $1,000.00	AEPEA(R) 227(e)	Count 5: Co-accused "McCabe, Rodney Tyrone" On or between the 1st day of September 2005 and the 1st day of October 2007, at or near Fort McMurray in the Province of Alberta did contravene a term or condition of an approval, to wit: section 5.1.2. of Approval 72754-01-00 issued in respect of the Suncor Millennium Wastewater System, with respect to the monthly arithmetic mean of daily samples for Total Suspended Solids (TSS,) contrary to section 227(e) of the Environmental Protection and Enhancement Act the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 R&D McCabe Ltd. was found guilty and sentenced on counts 1 through 6 to a global penalty of $6000.00, distributed as $1000.00 per count. In addition the Company has been prohibited from working in the water/wastewater industry for three years. Fine paid 28 September 2009.
R&D McCabe Ltd.		22-May-09 Penalty: $1,000.00	AEPEA(R) 227(e)	Count 6: Co-accused "McCabe, Rodney Tyrone" On or between the 1st day of November 2005 and the 1st day of June 2007, at or near Fort McMurray in the Province of Alberta did contravene a term or condition of an approval, to wit: section 5.1.2. of Approval 72755-0-00 issued in respect of the Borealis Lodge Wastewater Facility, with respect to the monthly arithmetic mean of daily

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Prosecutions				
				samples for Total Suspended Solids (TSS,) contrary to section 227(e) of the Environmental Protection and Enhancement Act the limitation period being extended by virtue of the application of section 786(2) of the Criminal Code. On 22 May 2009 R&D McCabe Ltd. was found guilty and sentenced on counts 1 through 6 to a global penalty of $6000.00, distributed as $1000.00 per count. In addition the Company has been prohibited from working in the water/wastewater industry for three years. Fine paid 28 September 2009.
Canadian National Railway Company	Wabamun	25-May-09 Penalty: $400,000.00	AEPEA(R) 112(a)(i)	Count 1: On the 3rd day of August 2005, at or near the Village of Wabamun in the Province of Alberta, where a substance that may cause, is causing or has caused an adverse effect was released into the environment, and being the person responsible for the substance, did fail, as soon as that person becomes aware or ought to have become aware of the release, to take all reasonable measures to repair, remedy and confine the effects of the substance, contrary to section 112(a)(i) of the Environmental Protection and Enhancement Act. On 25 May 2009 Canadian National Railway Company ["CN"] plead guilty, and was sentenced to a penalty of $400,000, It includes a fine of $100,000 and a creative sentencing order of $300,000 in favor of NAIT ($280,000) to develop a course to be offered to volunteer fire fighters which will provide training in the areas of emergency preparedness and incident command, and the remainder ($20,000) for the Alberta Firefighters Association to be used towards mentorship and qualification maintenance. The creative sentencing order also requires CN to develop, implement and audit an emergency response plan which meets national CSA standards. Fine paid 29 June 2009. Both the agreed to funds of the creative sentencing order were paid with NAIT receiving their portion August 5, 2009 and the Alberta Firefighters Association's portion September 1, 2009.

Alberta
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Enforcement Actions

1 Apr 2009 - 30 Jun 2009

Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
		Tickets		
No Activity				

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Enforcement Actions

1 Apr 2009 - 30 Jun 2009

Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*
Warning Letters				
Athabasca No. 12, County of	Wandering River NE-36-71-17-W4	15-Apr-09	AEPEA(R) 227(e)	The County operates the Wandering River Waterworks System pursuant to an Approval. It contravened its Approval by failing to immediately report turbidity exceedences of the potable water discharged from the plant, where the turbidity concentrations exceeded the limit set forth in the license; and failing to monitor Dissolved Organic Carbon (DOC) of the raw water.
Foothills No. 31, Municipal District of	MD of Foothills NE-28-21-3-W5 Plan 364LK, Block 4	28-Apr-09	AEPEA(R) 24/97 5(1)	The Municipality conducted an activity, the overspray of the pesticide Garlon IV in June of 2008.
1291868 Alberta Ltd. (LaCrete Golf Course)	La Crete 13-106-15-W5	02-Jun-09	WA 142(1)(n)	The Company conducted an activity, the diversion of water from the irrigation channel directly north of the golf course into the water hazards on the golf course for irrigation purposes without authorization.
Northern Sunrise County		04-Jun-09	AEPEA(R) 227(e)	The County operates the Cadotte Lake Waterworks System pursuant to an Approval. It contravened its license by failing to comply with the required limits for treated water turbidity, being 63 separate days where the limit was exceeded; failing to operate under the direction of a Level III Water Treatment Operator from July 9, 2007 - July 29, 2007; failing to include the name of the operator responsible for the operation of the Waterworks System in the Monthly reports from January - June 2007; and failing to immediately report any contravention of the terms and conditions of the Approval.
Calibre Drilling Ltd.	Parkland County NE-5-51-26-W4	10-Jun-09	AEPEA(R) 182	The Company conducted an activity, the disposal of waste on land owned by another person, on or about June 6, 2009.
Canadian Natural Resources Limited	Lac La Biche SW-14-67-3-W4	11-Jun-09	WA 142(1)(e)	The Company holds a license to divert water, it contravened this license with exceedances of daily allowable groundwater withdrawl between the dates of January 24, 2009 to February 12, 2009.

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Enforcement Actions

1 Apr 2009 - 30 Jun 2009

Company/Individual	Municipality / LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Warning Letters				
ATCO Gas and Pipelines Ltd.	Edmonton NE-6-52-23-W4	19-Jun-09	WA 36(4) 36(3)	The Company failed to observe the Design/Construction Standards set out in the Code of Practice for Pipelines and Telecommunication Lines Crossing a Water Body and implement appropriate measures to contain and or isolate the construction site from the Mill Creek during an open-trench gas pipeline installation.
Alberta Plywood Ltd.	Edmonton Plan 0622646, Block 33, Lot 10B	30-Jun-09	AEPEA(R) 227(e)	The Company operates the Edmonton wood processing plant for the production of plywood pursuant to an Approval. It contravened its license by failing to submit a Soil Management Proposal on or about August 13, 2008. This report was not submitted until March of 2009.

Alberta
ENVIRONMENT

Enforcement Actions

1 Apr 2009 - 30 Jun 2009

Company/Individual	*Municipality / LLD*	*Decision Date/ Penalty*	*Act/ Regulation*	*Comments / Disposition*

Water Management Orders

No Activity